



Atty. Dkt. No. 029815-0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick J. Sweeney
Title: METHOD AND DEVICE FOR
DELIVERING MEDICINE TO
BONE
Appl. No.: 10/682,307
Filing Date: 10/09/2003
Examiner: Unknown
Art Unit: 3763

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. Michelle Manning (Printed Name) <i>[Signature]</i> (Signature) 03/05/04 (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop MISSING PARTS
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

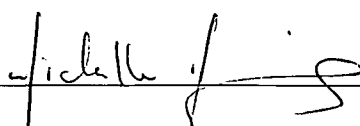
Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Date 03/05/04

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Form PTO-1449
(MODIFIED)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

029815-0104

SERIAL NO.

10/682,307

INFORMATION DISCLOSURE CITATION

APPLICANT

Patrick J. Sweeney

FILING DATE

10/09/2003

GROUP ART UNIT

3763

(See several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	4,653,489	Mar. 31, 1987	Tronzo			
	4,760,844	Aug. 2, 1988	Kyle			
	5,047,030	Sep. 10, 1991	Draenert			
	5,618,286	Apr. 8, 1997	Brinker			
	5,681,289	Oct. 28, 1997	Wilcox et al.			
	5,800,407	Sep. 1, 1998	Eldor			
	5,871,484	Feb. 16, 1999	Spievack et al.			
	6,077,265	Jun. 20, 2000	Werdning et al.			
	6,210,376	Apr. 3, 2001	Grayson			
	6,214,012	Apr. 10, 2001	Karpman et al.			
	6,387,098	May 14, 2002	Cole et al.			
	6,679,890	Jan. 10, 2004	Margulies et al.			
	2001/0021852	Sep. 13, 2001	Chappius			
	2002/0138146	Sep. 26, 2002	Jackson			
	2003/0045885	Mar. 6, 2003	Margulies et al.			
	2003/0212426	Nov. 13, 2003	Olson, Jr. et al.			

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	WO 02/098307	12.12.2002	PCT			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Cecil, M. L. et al., "Projection of the S2 Pedicle Onto the Posterolateral Surface of the Ilium -- A Technique for Lag Screw Fixation of Sacral Fractures or Sacroiliac Joint Dislocations," Spine 1996, Vol. 21, pp. 875-878; www.kalindra.com/project.htm .
	Sato, T. et al., "Calcium Phosphate Augmentation of Screw Fixation in Femoral Neck Fracture," 47 th Annual Meeting, Orthopaedic Research Society, February 25-28, 2001, San Francisco, California.
	Press release from Spine Center Atlanta, "New Screw Debut First-time Use for New Spinal Surgery Device," 2002, Orthopaedic & Spine Surgery of Atlanta LLC; www.SpineCenterAtlanta.com .
	Instratek Inc. "Titanium Cannulated Bone Screws Minimize Surgery Time by Eliminating Complicated Procedure Steps," www.instratek.com/bone_screw/ .
	XunMedica - Orthopaedic Surgery Products, "Ortho PLUG® Hard Bone Design," Redding, CA 96002; www.xunmedica.com .

EXAMINER

/Laura Bouchelle/

DATE CONSIDERED

06/08/2009

- * EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.